

FILED

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

NOV 24 2009

MOLLY C. DWYER, CLERK OF COURT  
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

CLIFFORD R. TRACY,

Defendant - Appellant.

No. 09-30408

D.C. No. 1:09-cr-30041-PA-1

District of Oregon, Medford

**TIME SCHEDULE  
ORDER**

The parties shall meet the following time schedule:

**Wed., January 13, 2010** Court reporter shall file transcript in the district court, pursuant to FRAP 11(b) and 9th Cir. R. 11-1.1;

**Mon., February 22, 2010** Appellant/petitioner's opening brief and excerpts of record shall be served and filed pursuant to FRAP 32 and 9th Cir. R. 32-1;

**Wed., March 24, 2010** The brief of appellee/respondent shall be filed and served, pursuant to FRAP 32 and 9th Cir. R. 32-1

**The optional appellant/petitioner reply brief shall be filed and served within fourteen days of service of the appellee/respondent's brief, pursuant to FRAP 32 and 9th Cir. R. 32-1.**

**Failure of the appellant to comply with the Time Schedule Order will result in automatic dismissal of the appeal. 9th Cir. R. 42-1**

**Appellants/Petitioners without representation of counsel in a prisoner appeal may have their case submitted on the briefs and record without oral argument, pursuant to FRAP 34(a). Within 10 days of the filing of the**

**appellant's opening brief, parties may file a statement setting forth the reasons why, in the opinion of the parties, oral argument should be heard.**

FOR THE COURT:

Molly C. Dwyer  
Clerk of Court

Holly Crosby  
Deputy Clerk